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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

OSHER RECTSPAT and ALLISHA  
KAHAUMALU REYES,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, in his official  
capacity as Secretary of Homeland Security,  
U.S. DEPARTMENT OF HOMELAND  
SECURITY, UR M. JADDOU, in her  
official capacity as Acting Director of U.S.  
Citizenship and Immigration Services, U.S.  
CITIZENSHIP AND IMMIGRATION  
SERVICES, the UNITED STATES OF  
AMERICA and JOHN DOES I through  
XX, inclusive,

Defendants.

Case No. 2:23-cv-00209-JCM-EJY

**Stipulation and Order**

**(Third Request)**

Plaintiffs Osher Rectspat and Allisha Kahaumalu Reyes and United States of  
America, on behalf of Federal Defendants Alejandro Mayorkas, in his official capacity as  
Secretary of Homeland Security, U.S. Department of Homeland Security, Ur M. Jaddou,  
in her official capacity as Acting Director of U.S. Citizenship and Immigration Services,  
U.S. Citizenship and Immigration Services ("Federal Defendants"), hereby stipulate and  
agree as follows:

Plaintiffs filed their Complaint on February 9, 2023.

Plaintiffs served the United States with a copy of the Summons and Complaint via  
Certified Mail on February 14, 2023.

1 The current deadline for the United States to respond to the Plaintiffs' Complaint is  
2 on October 16, 2023.

3 Plaintiffs and the Federal Defendants, through undersigned counsel, stipulate and  
4 request that the Court approve a 45-day extension of time, from October 16, 2023, to  
5 November 30, 2023, for Federal Defendants to file a response to the Complaint, ECF No.  
6 1. This is the third request for an extension of time.

7 Defense counsel has been informed by the Agency that it issued a Notice of Intent  
8 to Deny (NOID) Plaintiffs' application. The NOID provides Plaintiffs with 30 days to  
9 gather and submit evidence to rebut the issues raised in the NOID. Therefore, the parties  
10 request this additional time to allow them to resolve this matter, without the need for  
11 additional cost or further court intervention.

12 Therefore, the parties request that the Court extend the deadline for the United States  
13 to answer or otherwise respond to November 30, 2023.

14 This stipulated request is filed in good faith and not for the purposes of undue delay.

15 Respectfully submitted this 2nd day of October 2023.

16 REZA ATHARI, MILLS &  
17 FINK, PLLC

JASON M. FRIERSON  
United States Attorney

18 /s/ Gary Fink  
19 GARY FINK, ESQ.  
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23 *Attorney for Plaintiffs*

/s/ R. Thomas Colonna  
R. THOMAS COLONNA  
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24 **IT IS SO ORDERED:**

25   
26 **UNITED STATES MAGISTRATE JUDGE**

27 **DATED: October 2, 2023**  
28